

Remarks

The foregoing amendment to the specification is sought to accommodate the requirement made in the Notice. Specifically, the Notice stated that while Figure 27B was contained in the drawings for the application as filed on January 18, 2002, this drawing was not listed in the Brief Description of the Drawings in the specification as filed. Therefore, the foregoing amendment is sought solely to provide the missing description for Figure 27B. Support for this amendment to the specification can be found in Figure 27B as originally filed, which contains the text sought to be entered into the specification by this amendment (except for correction of an obvious typographical error in the spelling of "intravenously" that appears on Figure 27B as filed). Accordingly, this amendment to the specification adds no new matter, and is believed to be proper and sufficient to accommodate the requirements of the Notice.

Applicants also note that a similar Notice was received in connection with related U.S. Appl. No. 10/050,902, which contained an identical drawing inconsistency. In that case, Supervisory Patent Examiner Bruce Campell of Art Unit 1648 informed Applicants' undersigned representative during a telephone conference on December 4, 2006, that the present amendment would be proper despite the Issue Fee having been paid in that application, and that the requirements under Rule 312 would be waived by the Publishing Division for the sole purpose of complying with the requirements of the Notice. The submission was approved and entered into the record in that related application, ultimately resulting in the publication of the sealed Official Letters Patent.

Accordingly, waiver of the requirements under 37 C.F.R. § 1.312, and entry of the foregoing amendment to the specification of the present application, are believed to be proper and are respectfully requested.

Conclusion

The requirement for correction of the specification made in the Notice has been fully accommodated, and the drawing inconsistency with the specification has therefore been overcome. Applicants therefore respectfully request that the foregoing amendment be entered and that the processing of the present application for allowance within the Publishing Division be permitted to proceed. If the Examiner or the Publishing Division believe, for any reason, that personal communication will expedite issuance of this application, the Examiner or the Publishing Division are invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "B. Del Buono", with a long horizontal flourish extending to the right.

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